

REMARKS

Reconsideration of this application is respectfully requested.

This response is submitted in response to the Final Office Action mailed July 30, 2003, to request reconsideration of the rejection of claims 1-22 as set forth therein. In the event the Examiner determines that the foregoing amendments do not place the case in condition for allowance, it is respectfully requested that the above amendments be entered to place the claims in better form for consideration on appeal.

In the Final Office Action, the Examiner rejects claims 1-22 under 35 U.S.C. §103(a) as being allegedly unpatentable over U.S. Patent No. 6,285,990 B1 to David K. Lee et al. (hereinafter "Lee") in view of U.S. Patent No. 6,058,384 to Perry A. Pierce et al. (hereinafter "Pierce").

Specifically, with regard to independent claims 1, 8 and 15, the Examiner alleges that Lee discloses judging whether the amount of an electronic revenue stamp is less than a prepaid amount, issuing the electronic revenue stamp as data on a document, and reducing the balance amount from the prepaid amount. The Examiner concedes that Lee does not disclose the use of a digital signature for further security, but alleges that Pierce teaches the use of a digital signature in order for further securing issuance and refunding of revenue stamps.

The present invention teaches how a postal account unit decides if it should accept a refund, without communicating with a remote center. There is no center or authority that stores and manages the amount that is spent by the postal unit. The postal account unit maintains the amount that is spent, and decides whether to increment or decrement the counter. Independent claims 1, 8 and 15 clearly recite that the electronic revenue stamp issuing apparatus itself comprises an issuing means that issues the electronic revenue stamp, and a balance amount

reducing means that reduces the amount of the electronic revenue stamp. Claims 8 and 15 have been amended to clarify this distinguishing feature. As claim 1 already recited this feature, Applicant respectfully submits that no new issues are raised by the amendment to claims 8 and 15; therefore, Applicant respectfully requests entry of the amendment to the claims.

Lee, in Fig.1, and in Col. 3, lines 54-66, discloses a PC meter system 10 that includes a personal computer to operate as a host to a removable metering device or electronic vault 20, in which postage funds are stored. Pierce discloses a postal accounting unit that generates a digital signature, and through a host PC sends to a data center the amount of the postal funds removed from the postage meter and the digital signature (Col. 4, lines 54-57).

Further, in order to avoid communication with a remote data center, the stamp issuing apparatus is able to receive a digital certificate from the receiver that makes the electronic revenue stamp invalid. Claims 2, 9 and 16 clearly recite receiving a digital certificate from the receiver that makes the electronic revenue stamp invalid, and verifying whether the digital certificate is valid by using the identity of the receiver. A cryptographic mechanism is provided so that the electronic revenue stamp issuing apparatus does not falsely increment the stored amount.

The cited references of Lee and Pierce, individually or in combination, do not disclose an electronic revenue issuing apparatus that operates without communicating with a remote center. The present invention, as per claims 1, 8 and 15, is patentably distinguishable over the cited references of Lee and Pierce; Lee and Pierce, individually or in combination, do not disclose an electronic revenue stamp issuing apparatus that issues the electronic revenue stamp and reduces the amount of the electronic revenue stamp, as recited in independent claims 1, 8 and 15. It has been held by the Courts that to establish prima facie obviousness of a claimed invention, all the

claim limitations must be taught or suggested by the prior art. *See, In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Turning to the §103(a) rejection of dependent claims 2-7, 9-14 and 16-22, it must be noted that the Examiner relies on Lee, in combination with Pierce, to support the asserted rejection. As set out above, Lee and Pierce do not disclose all the elements of independent claims 1, 8 and 15. Accordingly, since dependent claims 2-7, 9-14 and 16-22 recite additional unique elements and/or limitations, claims 2-7, 9-14 and 16-22 remain patentable over the cited references.

Therefore, it is respectfully requested that the 35 U.S.C. §103(a) rejection of claims 1-22 be withdrawn, and respectfully requested that claims 1-22 be allowed.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorney would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



Paul J. Esatto, Jr.
Registration No. 30,749

SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343

PJE:AVS:jap